

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BLUE SPIKE, LLC
Plaintiff,

V.

TEXAS INSTRUMENTS, INC.
Defendants

§ Civil Action No. 6:12-CV-499 MHS

§ LEAD CASE

BLUE SPIKE, LLC,
Plaintiff,

 V_{c}

AUDIBLE MAGIC CORPORATION,
FACEBOOK, INC., MYSPACE, LLC,
SPECIFIC MEDIA, LLC,
PHOTOBUCKET.COM, INC.,
DAILYMOTION, INC.,
DAILYMOTION S.A., SOUNDCLOUD,
INC., SOUNDCLOUD LTD., MYXER,
INC., QLIPSO, INC., QLIPSO MEDIA
NETWORKS LTD., YAP.TV, INC.,
GOMISO, INC., IMESH, INC.,
METACAFE, INC., BOODABEE
TECHNOLOGIES, INC., TUNECORE,
INC., ZEDGE HOLDINGS, INC.,
BRIGHTCOVE INC.,
COINCIDENT.TV, INC., ACCEDO
BROADBAND NORTH AMERICA,
INC., ACCEDO BROADBAND AB,
AND MEDIAFIRE, LLC

Defendants.

§ Civil Action No. 6:12-CV-576 MHS

§ CONSOLIDATED CASE

BLUE SPIKE, LLC,
Plaintiff,

V.

WIOFFER, LLC
Defendant.

§ Civil Action No. 6:12-CV-570 MHS

§ CONSOLIDATED CASE

**DECLARATION OF MICHAEL LANTZ IN SUPPORT OF DEFENDANT
AUDIBLE MAGIC CORPORATION'S AND ITS CUSTOMERS' MOTION TO
TRANSFER VENUE TO THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA UNDER 28 U.S.C. § 1404(a)**

[Signature]

I, Michael Lantz, declare under penalty of perjury that the following is true and correct:

1. I am the CEO of Accedo Broadband AB and President of Accedo Broadband North America, Inc. I have personal knowledge of the facts set forth in this declaration, or access to Accedo Broadband North America, Inc. and Accedo Broadband AB's (collectively "Accedo") corporate information and records allowing me to confirm these facts. If called as a witness, I could testify competently to these facts under oath.

2. Accedo Broadband AB is a Swedish Company, headquartered in Stockholm, Sweden. Accedo Broadband North America, Inc. is the U.S. subsidiary of Accedo Broadband AB, and is headquartered in Mountain View, California, in the San Francisco Bay Area.

3. Accedo has no operations, employees, or property in Texas.

4. Accedo regularly conducts business in the San Francisco Bay Area and Silicon Valley.

5. The Accedo products accused in the complaint in the above-referenced action incorporate Audible Magic technology accused in the complaint.

6. In January 2012, Accedo entered into a reseller agreement with Audible Magic, located in Los Gatos, California, wherein Accedo was granted the right to market and resell Audible Magic's Content Identification Services. This is technology accused by Blue Spike in the instant action.

7. Accedo interacted with Audible Magic technical and business personnel in Los Gatos, California to obtain the reseller agreement with Audible Magic.

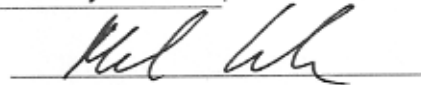
8. Pursuant to the reseller agreement, prior to registering any prospective end user with Audible Magic's services, Accedo is required to notify Audible Magic, in Los Gatos, California, of new prospective end user. Audible Magic retains the right to reject the registration of any

prospective end user.

9. Accedo had no access to, and no ability to alter, Audible Magic's proprietary source code used to run Audible Magic's Content Identification Services.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct based on my own personal knowledge.

Executed on May 1, 2013 in LONDON, UNITED KINGDOM

A handwritten signature in black ink, appearing to read "Michael Lantz", written over a horizontal line.

Michael Lantz